

**FILED**

MAR 20 2011

Board of Vocational Nursing  
and Psychiatric Technicians

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 GLORIA BARRIOS  
Supervising Deputy Attorney General  
3 MICHEL W. VALENTINE  
Deputy Attorney General  
4 State Bar No. 153078  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-1034  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*  
7

8 **BEFORE THE**  
**BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. PT-2007-837

12 **VICTOR ZERMENO**  
15204 Shadybend Drive, Unit 24  
13 Hacienda Heights, CA 91745

**A C C U S A T I O N**

14 Psychiatric Technician License No. PT 33128

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this Accusation solely in  
20 her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric  
21 Technicians, Department of Consumer Affairs (Board).

22 2. On or about March 17, 2006, the Board issued Psychiatric Technician License  
23 No. PT 33128 to Victor Zermeno (Respondent). The Psychiatric Technician License was in full  
24 force and effect at all times relevant to the charges brought herein and will expire on November  
25 30, 2011, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the following  
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

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1 committed by Respondent:

2 On or about August 27, 2006, Respondent forcefully pushed a patient (Crystal) away  
3 causing her to slide 15 feet and strike her head on a table. Respondent also made rude comments  
4 to patients who came to Crystal's assistance. Respondent also failed to assess the injuries of a  
5 male client who had reportedly been kicked in the head. Respondent also did not assess the  
6 patient that fell.

7 **DISCIPLINE CONSIDERATIONS**


8 Respondent appealed an adverse action filed against him concerning the above described  
9 conduct by his employer, Metropolitan State Hospital. The decision on Appeal of Case No. 07-  
10 2295 following an administrative hearing, the court believed Respondent did forcefully push a  
11 patient, by the name of Crystal, causing her to slide 15 feet and strike her head on a table. The  
12 court also believed Respondent made rude comments to patients who came to Crystal's  
13 assistance. The court concluded Respondent violated Government Code Section 19572 (d)  
14 inexcusable neglect of duty (the duty to properly care for patients), (m) discourteous treatment,  
15 and (t) other failure of good behavior. The charge of willful disobedience was stricken. The  
16 court upheld the discipline imposed on Respondent as warranted.

17 **PRAYER**

18 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
19 and that following the hearing, the Board issue a decision:

- 20 1. Revoking or suspending Psychiatric Technician License No. PT 33128, issued to  
21 Respondent;  
22 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and  
23 enforcement of this case, pursuant to section 125.3;  
24 3. Taking such other and further action as deemed necessary and proper.

25  
26 DATED: March 30, 2011

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TERESA BELLO-JONES, J.D., M.S.N., R.N.  
Executive Officer  
Board of Vocational Nursing and Psychiatric Technicians  
Department of Consumer Affairs